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## THE PROBLEMS OF POLITICAL SCIENCE.

The recent literature of political science, in marked contrast with the writings of the Austinian school, reveals much uncertainty as to the scope and problems of the science. Many regard this uncertainty as the opening of a period of more fruitful, because less dialectic, discussion. It is evident that many accepted political theories are survivals of an earlier period, and that in dealing with practical problems we use political formulæ arising from conditions essentially different from those of to-day. In this respect some striking analogies are found in the history of economic theory. The terms of the science, its logic and even the formulæ which were regarded as economic laws, have been questioned. But out of this apparent chaos, a body of thought is evolving which has modified and promises to supplant the Ricardian system, giving us a theory of economic relations corresponding more closely to the facts of modern industrial life. The clear recognition of the facts of modern industrial life bids fair to give us a new theory of economic progress.

A like situation confronts political science. While it is too early to predict ultimate effects upon the problems of the science, some of the changes necessary to a closer adjustment of political reasoning to political conditions are apparent at the present time. The question is one of tendencies rather than results, involving the gradual adaptation of method and interpretation to the new relations. That new political relations have developed within the last half century calls for no detailed demonstration. To prove that political theory has not kept pace with these changes requires somewhat closer analysis.

In spite of the fact that many of Austin's conclusions have proven erroneous, his conception of the scope of political science, of its problems, of the methods of political

reasoning, are generally accepted in the systematic treatises on the subject. Austin's views depend upon the conditions of the highly developed political communities of the Western world and lose much of their value when brought into relation with the conditions of more primitive civilizations. In the light of recent research we are now in a position to see that the greater part of Austin's definitions such as law, positive morality, sovereignty, non-sovereign political communities, etc.—rest upon the conditions of an advanced political development. They assume that religious, ethical and political standards have become differentiated, that national unity is the basis of state existence, that the democratic evolution of society has reached a point beyond that of most modern communities. The polemical character of much of Austin's work is founded in this peculiarity of his system. His discussion was directed against the remnants of the eighteenth century political philosophy. Austin's immediate predecessor, Bentham, had not been able to emancipate himself completely from the philosophy of a "state of nature." The discussion of "natural" society in the writings of Bentham has the flavor of an earlier period while ideas of natural law, natural rights, rights inherent in the individual independent of and superior to all political authority, reappeared in the writings of his time. Strongly impressed with the great increase in legislative activity in England, and the more definite expression of rights and obligations resulting therefrom, Austin saw the necessity of demonstrating the supremacy of positive law, *i. e.*, law in its objective expression. This he did with far greater success than Bentham. His contribution to political science can be gauged at its true value when viewed from this standpoint.

On the other hand, it must not be forgotten that Austin entirely neglected the subjective basis of law as well as its relation to the changing standards of the community. In fact an inquiry into the psychic and objective factors

determining legal development finds no place in his system. His great claim to recognition lies in the fact that he offered a clear analysis of law in the objective sense, a definite terminology and a series of concise definitions.

The field of jurisprudence left untouched by Austin has not been occupied by any English writer. Of Continental treatises Ihering's work is the only important contribution to the subject. The contrast between his "*Zweck im Recht*,"\* and Austin's "*Jurisprudence*" throws much light on the present problems of political science. The two authors are interested in a different series of problems, which accounts for differences in method and premises. In Austin we have a cross-section view of the English political system, with sovereignty, law and morality treated as isolated facts. No attempt is made to assign them a place amongst the other political and social forces. Nor is allowance made for the great diversities in political organization; for the degree of development of unity and symmetry in the body politic. It is assumed that there must be some definite organ or group of organs enjoying legally unrestricted power. Now, the very idea of "*legally*" unrestricted power is characteristic of a period of advanced political development, a period in which the spirit of law has fully asserted itself.

In Ihering, on the other hand, we have a discussion of the subjective basis of law, of the forces which influence its growth, and of the relation of law to the other order-producing forces in the community. The significant feature of Ihering's argument is that law does not represent an isolated fact, the command of a sovereign political authority. His philosophy of law is brought into direct relation with the philosophy of society.

An examination of the history of English political science will show that the method adopted by Austin has its root in Hobbes and Locke. In fact Hobbes, Locke, Bentham, Austin, Holland and Markby, form an unbroken line of

\* Also his "*Geist des römischen Rechts*."

thinkers, whose writings, in spite of great differences in conclusions, show practical unanimity in method, in interpretation of political phenomena and in terminology. It is to be noted that the relative justification of the method adopted by this school is not in question, for the results of Austin's work has placed it beyond doubt. The real issue is, whether we have not reached a stage in political development in which problems of a different character, demanding a different method of analysis, call for consideration; whether the continued domination of the Austinian method is not likely to lead us to a ceaseless reiteration of threadbare formulæ. The importance of a general recognition of this danger becomes apparent when we stop to consider that most of these formulæ are of little significance at present; many of them having been disposed of, not by the political scientists, but by conflict—physical, economic, moral and intellectual. For a period of undeveloped political relations, when the conflict of opinion corresponded to real differences in class and sectional interests, the determination of the seat of sovereignty was important. To refute the idea of natural rights was of importance in a period when the acceptance of this idea by a considerable portion of the population threatened political anarchy. Instances may be found at every period in history. In the conflict of the English people with the Stuarts, the question of the right of resistance was one of great practical importance and soon became the main problem of political science.\* When this question had been fought out, when the supremacy of Parliament had asserted itself, the problem lost its importance and, therefore, its interest. New problems arose. The freedom of the individual, his immunity from arbitrary interference on the part of the public authority, became the requisite conditions of further progress.

\* Another and more recent instance is to be found in the attitude of the Catholic clergy and a large part of the Catholic population of Prussia during the "*Culturkampf*." The law was set at naught on the ground that it was in conflict with the papal interpretation of political obligations.

To secure these conditions some means to check the power of the executive, to restrain the crown and its agents, had to be developed. Furthermore, the growth of more complex economic and legal relations called for the development of an independent authority to supervise and guarantee their adjustment. Without it social order and stability were impossible. These new organs of government, under the name of the judiciary, developed a body of rules of interpretation which, in a subsequent period, were to constitute the most effective guarantees of the citizen against the executive.

Montesquieu formulated this practical political necessity in the sixth chapter of the eleventh book of the "*Esprit des Lois*." He saw clearly that greater security for recognized personal and property rights was one of the chief needs of the time. Unless this security were attained the motive to individual activity and initiative would be greatly reduced and economic progress would be retarded. He found in England a system of individual liberty resting on legal and extra-legal guarantees unknown to the Continent. The separation of powers into executive, legislative and judicial seemed to explain the growth and guarantee of such freedom. The scheme of government which worked itself out in his mind, and which he thought was a counterpart of the English system, was described as follows: "Thus the legislative power will be entrusted to the body of the nobles and the body of the representatives of the people, which will have their meetings and their deliberations apart and will have distinct views and interests."

"The executive power ought to be in the hands of a monarch; because this part of the government, which must ordinarily be in a position to act promptly is better administered by one than by many; whereas matters of legislation are often better ordered by many than by one. . . . If the executive power does not possess the power of defeating the encroachments of the legislative body, the latter will

be despotic, for being able to invest itself with every imaginable authority it will annihilate every other power. . . . The legislative body is composed of two distinct parts, which limit each other by their respective vetoes. Both will be restrained by the executive power, and this in its turn will be restrained by the legislative power."

This doctrine of the separation of powers became the text for political writers. The principles of governmental organization founded upon it remained the accepted canons of political science long after English political development had deprived the doctrine of any value as an absolute formula. The survival of the principle in its original form has been due to the fact that it did not antagonize any distinctly felt want. Furthermore, political thought was being directed into new channels. Presently we shall have occasion to examine the influence of the doctrine upon the development of American political institutions.

The foregoing analysis has given us the clue to two methods of political research; each dealing with problems of a different nature. The first is the Austinian method in jurisprudence which is peculiarly adapted to the study of political institutions at a given period. Society is viewed in cross-section. The organs of political authority, their constitution, activity and relation to one another are made the subject of research. The discussion of the form of government, the determination of the supreme law-making authority, the relation between governmental organs, etc., are questions to which this method is peculiarly adapted. If we may be permitted to borrow, as the economists have done, a term from physical science, these problems may be termed those of static politics.\* These questions are of great importance, but the method adapted to their analysis has definite limitations which we must clearly recognize. Inquiry in the domain of static politics does not and cannot give us

\*See "Political Science and Comparative Constitutional Law," by Professor J. W. Burgess. 2 vols. Boston: Ginn & Co., 1893.

anything more than a picture of the working of institutions divorced from the ideas upon which they rest. Its discussions are confined to those relations which find definite expression in the public and private law. Extra-legal considerations may be introduced incidentally, but are not made the basis of discussion. Organized forms, rights and obligations recognized and enforced by law exhaust the catalogue of subjects beyond which analysis is not carried. In order that discussions of this character may lead to fruitful results, great care must be exercised in the use of terms. The ever-changing conditions of political life are constantly giving a new content to the terms of the science. It is impossible to formulate a terminology applicable at all times and to all countries. The terms family, sovereignty, democracy, liberty, law, rights and obligations do not connote the same group of relations when applied to ancient Greece, as when applied to mediæval France, or to the England of the latter half of the nineteenth century. It is a matter of great importance to determine whether these concepts, in the sense in which we understand them, existed in earlier epochs. Did they, or similar institutions performing the same function, rest upon the same subjective basis; upon the same instincts, feelings, prejudices, ideas and ideals?

The failure to recognize clearly the evolutional nature of political relations and the resultant change in the content of political terms leads to barren dialecticism. An examination of recent American treatises will show that we are not free from this weakness. The tendency to reason from definitions rather than from facts seems to be one of the strongest temptations to political scientists. In spite of every precaution, few, if any, of the recent contributions to political science escape this criticism. In a recent work,\* which has attracted considerable attention, the author, discussing the distinction between the family and the state,

\* "The Nature of the State," by W. W. Willoughby. New York: Macmillan, 1897.  
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says: "The two institutions are different in essence. In the family the location of authority is natural (*i. e.*, in the father). In the state it is one of choice. Subordination is the principle of the family; equality that of the state." We are here given the choice between two contradictory positions. If the term "state" is used as a general political concept—and this is the only use consistent with the author's conception of the function of philosophic concepts—his reasoning is unsound because unhistorical. That in primitive and even in such highly developed political societies as the Roman, no such distinction can be drawn, has been shown by Maine and Mommsen. The early Roman family was based upon what we now consider purely political relations. "The family, based upon the principle of the state, becomes the state based upon the principle of the family\*. To reserve the term "state" for the complex and highly-organized political communities of modern times would throw the discussion into hopeless confusion. It is hardly possible to reconcile such an interpretation with the statement† "that the designation of the state cannot be refused to a society of men, if politically organized, even though it be in the nomadic stage. Lower order of development cannot deprive an institution of its generic name."

Such inherent contradictions show more clearly than any amount of argument, the great care which is needed in the use of terms. We must keep constantly in mind the infinite varieties of political organization which the term "state" may connote, and not make it express a distinction that is peculiar to one period of development, and which inevitably leads to confusion. The difficulty with which we have to contend is as old as the science of politics. It is the attempt to arrive at concepts of universal applicability by a method which does not lend itself to the task. It is a question to my mind whether we can hope to formulate any such general

\* Ihering. "*Esprit du Droit romain.*" French Edition. Vol. i, p. 178.

† Willoughby. Cap. i, p. 27.

concepts, or at least such as will be of real value in a comparative study of political relations. A method of inquiry essentially different from that outlined above becomes necessary.

The difference corresponds to a fundamental difference in the attitude towards problems of political science. It brings us to the second division of politics, which I shall call "dynamic politics." The study of political evolution, of the relation between institutions and ideas, of the adjustment of such institutions to the needs of the community, are the leading problems in this field. The very statement of these questions shows that our analysis must go beyond the organized political forms. The political bearing of economic facts as well as the political results of changes in economic relations must be examined. The forces developing new standards of conduct, be they class or general standards, must be brought into direct relation with the facts of political life. If political science is to ignore these questions, their treatment will be delegated to the allied sciences. Sociology has already begun this work. The comparative barrenness of American political literature is to be ascribed, in part, to the narrow interpretation of the scope of the science. Political scientists have been content to accept classifications suggested by writers in the allied sciences, an attitude which is disastrous to the growth of a science.

Let us take, as an instance, one of the most recent as well as one of the most liberal interpretations. Professor Giddings in his "Principles of Sociology," says: \* "Political science studies the state within the constitution and shows how it expresses its will in acts of government. It inquires how the state within the constitution is created and moulded by the state behind the constitution, but beyond this, political science proper does not go. The state beyond the constitution, or natural society as we should otherwise call it, is for politics as for economy; a *datum*." This line of division meets all the requirements of the problems of static

\* Page 35.

politics and has the great advantage of being readily distinguishable. The moment, however, that we enter upon the study of the second class of problems, the state behind the constitution,—“the facts of natural society” become something more than data for political science. It is only by such considerations that we can explain the causes and process of political change. Illustrations from primitive communities where the conditions are relatively simple offer the clearest demonstration of this principle. In such communities conscious adaptation does not enter as a disturbing factor to the same extent as in our highly developed modern ones, and political institutions become the simple expression in the political sphere of economic relations. It is true that psychic factors, such as the supernatural interpretation of the objective environment soon enter as modifying factors. Take, for instance, the primary fact of command and obedience, the earliest of political relations. This relation was the immediate result of the conditions of the objective environment—the necessity of obtaining a food supply and protection against attack. As such, its growth became a condition for the continued existence of the community. We must therefore look to the conditions of the objective environment for the efficient cause of political evolution during these early stages. When, at a later period, private property had developed, the same intimate connection between economic and political relations can readily be traced. Usually the possession of the relatively scarce factor in production carries with it political power. Even class distinctions ultimately break down before the fact of economic supremacy. Individuals of low birth acquiring control of the factor in production which is either absolutely limited in quantity or, relatively the most slowly increasing, come to be regarded as of royal descent.

This relatively scarce factor in production may and does actually change at different periods. At one time it may be cattle, at another land, and still another tools or implements.

Sir Henry Maine gives several striking instances from the political constitution of early Irish villages. Political leadership was determined by the ownership of cattle. The loan of cattle created definite political relations; the degree of political subjection being dependent upon the number of cows or oxen borrowed. The relation of borrower and lender carried with it a political relation or status. It would probably be more exact to say that the two relations were not consciously distinguished; the political status following as a matter of course upon the economic cause. With the differentiation of economic opportunities the modification of this particular relation became necessary before further political advance could be made. So intimately had the two ideas of "cattle-borrowing" and "political dependence" become associated in the minds of the people, that the only means of political emancipation lay in a restriction of the right of borrowing and lending. The modification of the economic relation meant an immediate change in the political system.

Add to this the secularization of political relations and the process of differentiating economic, political and religious relations is complete. New ideals of political equality are developed which react strongly upon the political system. Conscious adaptation, with all the psychic influences which accompany it, must now be given an important place in political development. Economic relations continue, however, to play the leading rôle, and economic dependence is still the most important factor in political life. The characteristic features of the Roman system are explained by Mommsen on this basis.\* In the explanation of the feudal system, property relations furnish the key to political relations.† With the advance of political civilization and the accompanying development of more complex relations no such simple explanation is possible. The

\*See his "*Staatsrecht*" also Brooks Adams "*Law of Civilization and Decay*."

†See Stubb's "*Constitutional History of England*."

increase of the economic possibilities of the individual lessens direct economic dependence. The growth of the idea of the individual as an end instead of a means, which characterized the Reformation period, made for political equality. New religious ideas were making themselves felt in the political sphere. In addition, the inherited traditions of the race, together with the development of the individual as a political being, offered the possibility of an appeal to individual judgment without the danger of moral and political anarchy. Individual liberty in the modern sense does not emerge until this point has been reached. The idea upon which it rests is that of a sphere of activity within which the individual shall be free from arbitrary encroachment.

From the foregoing analysis we can readily distinguish the difference between the two classes of problems above referred to, and which correspond to two distinct divisions of political science. The problems of "static politics" can be kept within the limits of relations definitely expressed in law. Dynamic politics must seek their basis and the laws of their development in the subjective and objective forces influencing national ideas and standards.

The question as to the practical value of discussions within the field of "dynamic politics" still remains to be answered. Will such discussions throw any new light upon the nature of our present problems? Will they give us any valuable indications for their solution? Are not the factors to be dealt with so vague and indefinite as to make practical suggestion based upon them impossible? To answer these questions satisfactorily we must recur to a principle already alluded to, viz., the relations between institutions and ideas on the one hand, and the conditions of the subjective and objective environment on the other. The history of institutions, including within that term customs, class standards of conduct, forms of judicial procedure and forms of governmental organization, has established the fact that institutions

tend to outlast the conditions which determine their growth and furnish the basis of their usefulness. Superorganic evolution does not proceed with the same effectiveness in the elimination of the "useless" and "unfit" as organic evolution. A custom, a habit, a method of political procedure, a type of political reasoning, a form of governmental organization will continue to exist as "survivals" long after the conditions upon which they rested have changed. Not until the lack of harmony has developed into an antagonism of such intensity as to bring about a crisis—threatened political disruption and anarchy—is a readjustment effected. The same is true of political ideas when they are once incorporated into a people's mode of thinking. A clear perception of the evils flowing therefrom, plus a great amount of discomfort and inconvenience, is usually necessary to bring about a very slight change. As long as these evils are obscured by other factors—such as great economic prosperity incident to the exploitation of unlimited natural resources—antiquated political ideas retain their hold unchallenged. A lack of harmony between institutions and the conditions of the environment, no matter how small in amount, is always a source of political weakness. Careful examination of the relation between the two will disclose the weak elements and point the way to a remedy.

The political condition of modern nations furnishes abundant illustrations. France is suffering from a lack of adjustment between the political ideas of the people and the conditions of modern political life. The form of government is regarded as an end instead of a means, as an extraneous factor antagonistic to those deprived of the immediate control of its policy. As a result, questions of internal policy are either neglected or inadequately treated. In Germany, the bitterness of class feeling, which is mirrored in the division of political parties, is one of the obstacles to the development of a high type of political activity in which the attitude of

the population toward concrete problems will be determined by national ideals rather than by class prejudices. We, in the United States have inherited a system of political thought which grew out of the English conflicts of the seventeenth and eighteenth centuries. These conflicts gave to England the body of civil rights which excited the admiration of Continental writers. The system of government, as far as it was a conscious development, was intended to act as a guarantee to these rights. It did not create them but grew out of the need for a guarantee of their continued observance. Continental, as well as American, writers confusing cause and effect, were led to the conclusion that the peculiar characteristics of the English system were essential to the development of individual liberty. Little attention was paid to the differences in political ideas, habits and education, which clearly distinguished the English from Continental peoples. In France the attempt to carry out this principle led to the adoption of a system of government for which the people were not prepared. With English traditions and training to guide us our situation was far more fortunate. We have been able to apply with a far greater degree of success Montesquieu's tests of a free government. In our national and state government the principle of the separation of powers has been carried out as far as is consistent with a workable scheme of government. Special emphasis has also been laid upon the idea of "checks and balances" in the legislative authority. A little reflection will show, that important as these principles are, they cannot be regarded as of absolute validity. Essential to a period in which the fundamental personal and property rights were in constant danger of arbitrary encroachment, they may become real obstacles to positive action at a later period when numerous and pressing problems of a social and industrial nature are demanding attention.

At the present time, the greatest menace to our political institutions comes not from the danger of arbitrary encroach-

ment on the rights of individuals, but rather from the dissipation of political energy and the weakening of political responsibility. The indiscriminate application of the political formulæ just mentioned to all political problems, without reference to their intrinsic nature, constitutes the greatest danger to the progressive development of our political institutions. The first effects may be gathered from an examination of the history of American municipal institutions. At the time when the problem of city government became a pressing one, when the New England system of town government had become unworkable and the New York and Pennsylvania forms had become equally antiquated, their reorganization was effected by the application of the same principles that had determined our national and state systems. No attempt was made to determine whether such principles were in harmony with conditions of life in large cities; whether the reasons which justified their application to the state and national systems were present in the case of city government. We did not see clearly that city problems differ essentially from those of the state and nation. The dangers from hasty action in city affairs, owing to the non-political character of city problems, are far less than in state or national affairs. Municipal questions require positive action. The system of "checks and balances" which we have consistently applied, diminishes public interest in city affairs, wastes energy, prevents the consideration of questions on their merits and weakens civic ties. Political responsibility is not individual but social in character. It manifests itself through compliance with the social standards of the community, standards which are applied at all times, and not merely at intervals of two or four years.

We have, here, an instance of the persistence of political ideas and their influence on forms of government. In the above inquiry, political science must determine whether the form of government is adapted to the problems to be solved.

Another and equally important question is the influence of political ideas upon the actual working of institutions. Scientific analysis must show the degree of harmony between political habits, instincts and ideas on the one hand and the conditions of the environment. Here again lack of adjustment is a source of weakness in the body politic. The recent development of American political institutions furnishes abundant illustration of this principle. Take for instance our attitude towards constitutional law which has been likened to fetishism.\* Whether true or not, no one would deny the peculiar influence of the state and federal constitutions upon our political life. To the average American, constitutional provisions represent absolute standards by which all political proposals are primarily to be judged. More than this—they are formulated rules of an inherently different character from other branches of the public and private law. This view found its justification in the English idea of constitutional law, as the body of "rules which directly or indirectly affect the distribution or exercise of sovereign power in the state."† When we consider constitutional law with reference to the political ideas of the community, we find that our written constitutions, especially the state constitutions, no longer conform to this standard. They contain a great mass of direct legislation; provisions in no sense different, in kind, from ordinary statutory enactments. They represent standards and policies which the people have seen fit to force upon the state legislatures or, more often, a field of legislation withdrawn from legislative discretion. Constitutional law in England and the United States does not cover the same set of legal relations. Nevertheless we continue to judge it from the same standpoint as the English, as if it were a series of fundamental political rules. A proposition which does not conform to them is *prima facie* to be condemned.

\* See Von Holst, "Constitutional History of the United States."

† See Dicey "The Law of the Constitution."

The influence of the income tax decision upon the opinion of the country is a case in point.

Again, how can political science explain the fact that a system of city government which has proven such a disastrous failure in this country, works admirably in England and Germany? An examination of the different concepts of the city and the resultant differences in attitude towards local interests will explain what otherwise would remain a mystery.

These illustrations go to show that dynamic politics deals with the relation between institutions and political ideas, between institutions and the environment and between political ideas and the environment. It traces the degree of adjustment between these various factors. In the light of such research the same term will be found to correspond to a different set of ideas at different periods, and in different places at the same period; a fact which makes the use of such general terms as law, sovereignty, democracy, etc., extremely hazardous in a comparative study of political conditions.

Thus, a series of inherited political traditions, a system of political thought transmitted to us from a previous epoch, have been the primary causes determining the attitude towards the scope and method of political science. A number of secondary and more proximate causes have further emphasized this tendency, which may be classified under three heads :

*First.*—The confusion of legal and political considerations.

*Second.*—The influence of a formula of political progress.

*Third.*—The use of biological analogies in the discussions of the nature of the state.

It is to be noted that these causes are partly methodological and partly psychological in character. The distinction indicated under the first head rests upon another which is of primary importance in political science, viz., the difference between a stationary and a progressive society. Much of

the reasoning in political science is based upon the conditions of a stationary society; a statement which may seem somewhat paradoxical when we remember that very few writers are acquainted with the political conditions in the stationary communities of the East. The history of the progressive societies of Western Europe shows that the formulated relations of the private and public law have never fully expressed the actual relations. This is especially true of the relations expressed in the public law. Legal principles, when once definitely expressed, tend to take upon themselves a certain rigidity, and are only brought into harmony with changing conditions by a long and slow process of adaptation. The relation as expressed in law may remain the same while the content has been modified. The moment law fully expresses actual relations society becomes stationary. Sir Henry Maine, in speaking of China, says: "Progress seems to have been there arrested, because the civil laws are coextensive with all the ideas of which the race is capable."\*

Now, political philosophy must explain this change in actual content and its relation to existing forms. Otherwise, it commits itself unnecessarily to the purely formal side of political organization. How, for instance, are we to explain why similar forms of organization work so differently in different countries? Why is the attitude of the American people toward government different from that of the German? To give a satisfactory answer to these questions it is necessary to examine the phenomena of political life. We can thus arrive at a far clearer notion of the working of political institutions than by confining ourselves to the formulated legal relations. Many of the vague and uncertain factors discredited by recent writers must be given due weight.

Another reason for the distinction here referred to has been pointed out by Ihering in his "*Geist des römischen Rechts*." He shows how inadequately law expresses actual

\* "Ancient Law." Chapter I on "Ancient Codes."

political relations, and ascribes this inadequacy to the narrowness of the field of vision of the generation living in the midst of such relations.

The second of the causes determining the present attitude towards the scope and problems of political science rests upon centuries of accumulated experience. The political history of the ancient, as well as of the modern world points to the close connection between social order and political progress; to the necessity of preserving social and political stability amidst change and reform. The communities which were able to develop this combination of order and progress remained progressive and survived in the struggle for existence. The political societies of ancient Greece disappeared because they were unable to maintain social order during the period of political change. The lessons thus taught have given rise to a theory of political progress which has strongly influenced the views of writers as to the limits of political inquiry. Factors which do not operate in definite channels and find expression of order and progress through definite organs are entirely neglected or relegated to the consideration of another science. Public opinion, class standards, group standards, voluntary association and the like, are regarded as the proper domain of sociology. Unless this view is considerably modified it is probable that we shall have to look to treatises on sociology for discussions of the actual content and operation of our political institutions as distinguished from their form. No science can afford to permit a formula of experience, no matter how true at the time, to color its analysis of fact.

A third factor which has strongly influenced the interpretation of political phenomena has been the use of biologic analogies in political reasoning. In counteracting the influence of the ultra-individualistic view of society this method performed its greatest service. On the other hand the dangers involved in its use were not fully recognized. From the justifiable use of analogy we have unconsciously passed

to the complete identification of political with physical organs. Some of the most complex problems of political science have been glossed over by means of terms borrowed from biology. The expression of the will of the community in political action is treated as if it represented a process precisely similar to the expression of individual will. Just as the latter must have definite organs to make itself intelligible, so must the organs of government be fully developed before political science can take account of political action. In fact, without such definite organs, the very existence of political action is denied.\* The numerous influences, psychic and objective, determining the nature and direction of political activity are ignored. The analogy is now carried one step further. The organ or organs expressing what is called the "will of the state" are regarded as the highest political authority—the depositaries of sovereign power. The full effects of the use of biologic terms soon become apparent. The transition from analogy to identification is extremely easy and almost imperceptible. Instead of comparing the state with a living organism, writers on political science come to regard the state as a living organism; instead of reasoning from the facts of political life we content ourselves with the use of terms which have their real meaning in the domain of organic life.

The dangers involved in this confusion of thought becomes evident when we stop to consider the relative permanence and stability of forms of government as compared with the ever-changing class and national feelings and standards which furnish the motive power and determine the direction of political activity. Political consciousness may grow in intensity, voluntary association may acquire increased influence, public opinion may grow more enlightened and increasingly directive in its influence; and yet, of all these changes, political science, as interpreted in recent treatises, need take no account. Surely a method which leads to such

\* Cf. Willoughby, *op. cit.*

results must bring about a complete divorce of theory from fact.

Take, for instance, the accepted treatment of the nature of sovereignty. While impliedly recognizing that the true basis of political authority is to be found in the political ideas of those partaking in political life, most writers have been unwilling to build upon such uncertain subjective factors, and have taken refuge in the more definite limits of governmental organization.

All manifestations of force which are not expressed through legally constituted forms, are declared to be uncivic or unpolitical in character. If political institutions were viewed from the evolutionary standpoint, it would be seen that our present unwillingness to recognize anything beyond organized forms rests upon the spirit of order and legality which is itself a comparatively late development in the history of civilization. Countless political forms operating without any definite rules of organization or procedure existed prior to its appearance. The law-abiding spirit soon became a requisite for survival. Those communities possessing it were able to conquer their less advanced neighbors. In order to maintain what had been gained and to secure further progress it was necessary that political authority should be exercised by a definite organ or set of organs. To make of this an universal proposition; to connect the idea of sovereignty with unrestricted power of legislation vested in a definite organ, is to associate it with a phenomenon of advanced political development. It is perfectly possible to accept such a definition, but it must not be supposed that it takes us very far in political analysis. To obtain an insight into the conditions of political life in modern democratic communities the problems of dynamic politics together with a method of research adapted to analysis of this character must be given an important place. Unless this is done, we remain committed to the formalism of the Austinian school. "We often talk and sometimes think, as if its

political constitution were to the state what its anatomical conformation is to the living animal, and as if therefore, we might argue from 'structure' to 'function' with the same degree of assurance in the one case as we habitually do in the other."\* The lessons of political experience, the facts of modern political development, as well as the analysis of political relations, show that such a method of reasoning is more misleading than helpful. We must examine political institutions, primarily with reference to the functions they are intended to perform in a particular environment. This cannot be done unless the psychic factors upon which they rest are given an important place in the inquiry.

L. S. ROWE.

*University of Pennsylvania.*

\*"Balfour, "Fragment on Progress," in "Essays and Addresses," p. 266.